

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
WACO DIVISION**

<b>SWISSDIGITAL USA CO., LTD.,</b>	§	
Plaintiff,	§	
	§	Case No. 6:23-cv-196-ADA
v.	§	
	§	JURY TRIAL DEMANDED
<b>SAMSONITE INTERNATIONAL S.A.</b>	§	
Defendant.	§	

**PLAINTIFF'S STATUS REPORT ON VENUE MOTION AND RESPONSE TO  
DEFENDANT'S STATUS REPORT**

Defendant filed a Status Report (Dkt. 48) without Plaintiff's consent that misrepresents Plaintiff's position and the status of briefing and venue discovery. Venue discovery is not closed, and Defendant is still seeking leave to file a supplemental brief.

Pursuant to the Court's January 23, 2024 Standing Order Governing Proceedings (OGP) 4.4 – Patent Cases, all parties who have filed a motion to transfer shall provide the Court with a status report when the motion to transfer becomes ready for resolution. On February 1, despite Defendant's ongoing failure to sufficiently respond to Plaintiff's discovery requests, Plaintiff proposed closing venue discovery and resting on the briefs. Ex A at 6 (Feb. 1 email from J. Altman). Plaintiff also offered to file this notice with the Court to inform the Court that briefing on Defendant's Motion to Dismiss or Transfer was complete. Ex A at 6 (Feb. 1 email from J. Altman) and 1 (Feb. 9 email from J. Altman). Defendant responded saying that it wanted to file a supplemental brief in support of its own reply to its motion to transfer. Ex A at 5 (Feb. 5 Email from J. Chung). Plaintiff opposed this, and the parties' positions are pending before the Court. *See* Dkts. 41, 45, and 47.

As we sit here today, venue discovery is not closed, and Defendant's Motion to Dismiss or Transfer is not fully briefed. Resolution of venue discovery and briefing depends on the Court's

ruling on Defendant's Opposed Motion for Leave to File Supplemental Brief in Support of Its Reply (Dkt. 41). If the Court grants Defendant's additional briefing, then Plaintiff asks that the record be complete and that Defendant produce the outstanding venue discovery.

Dated: February 29, 2024

Respectfully Submitted,

By: /s/ Dariush Keyhani  
Dariush Keyhani (*admitted pro hac vice*)  
Frances H. Stephenson (*admitted pro hac vice*)  
Keyhani LLC  
1050 30<sup>th</sup> Street NW  
Washington, DC 20007  
T. 202.748.8950  
F. 202.318.8958  
[dkeyhani@keyhanillc.com](mailto:dkeyhani@keyhanillc.com)  
[fstephenson@keyhanillc.com](mailto:fstephenson@keyhanillc.com)

Jacqueline P. Altman  
State Bar No. 24087010  
John P. Palmer  
State Bar No. 15430600  
John A. "Andy" Powell  
State Bar No. 24029775  
USPTO Reg. No. 71,533  
NAMAN HOWELL SMITH & LEE, PLLC  
400 Austin Ave., Suite 800  
Waco, Texas 76701  
[jaltman@namanhowell.com](mailto:jaltman@namanhowell.com)  
[palmer@namanhowell.com](mailto:palmer@namanhowell.com)  
[powell@namanhowell.com](mailto:powell@namanhowell.com)

Andy Tindel  
Texas State Bar No. 20054500  
MT2LAW GROUP  
MANN | TINDEL | THOMPSON  
112 East Line Street, Suite 304  
Tyler, Texas 75702  
Tel: (903) 596-0900  
Fax: (903) 596-0909  
[atindel@andytindel.com](mailto:atindel@andytindel.com)

*Attorneys for Plaintiff Swissdigital USA Co., Ltd.*

**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system on March 1, 2024.

*/s/ Dariush Keyhani*

Dariush Keyhani